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November 8, 2007

Hon. Kenneth M. Karas  
United States District Court  
500 South Pearl Street, Room 920  
New York, NY 10007

Re: Serio v. Dwight Halvorson Insurance Services, Inc., et. al.  
1:04-cv-3361  
Our File No.: FRONIN 2006039

Dear Judge Karas:

In furtherance of the recent conference in the above referenced matter, this letter is submitted on the issue of whether the monies paid in satisfaction of the partial judgment by the defendants should be paid directly to the plaintiff or placed in escrow pending the final determination of the action. Upon reviewing this matter further, from a purely factual standpoint, we believe the only acceptable means of ensuring that the judgment funds will be available to respond to any potential set-off established by the defendants at trial is to have the monies placed in escrow.

In accordance with the foregoing, our firm would be willing to place the judgment funds in escrow pending the final resolution of this matter if it is acceptable to the Court.

Very truly yours,

**Featherstonhaugh, Wiley & Clyne, LLP**

A handwritten signature in dark ink, appearing to read 'Randall J. Ezick', written over a horizontal line.

Randall J. Ezick

RJE:lar

cc: Lorienton N. A. Palmer - Schindel, Farman & Lipsius LLP